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MAY 30 2007

OFFICE OF PETITIONS

In re Application of	:	
Myan Spaccarelli, et al.	:	
Application No. 10/772,629	:	ON PETITION
Filed: February 4, 2004	:	
Attorney Docket No. 7294-101	:	

This is a decision on the petition, filed February 9, 2007, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

The petition is **GRANTED**.

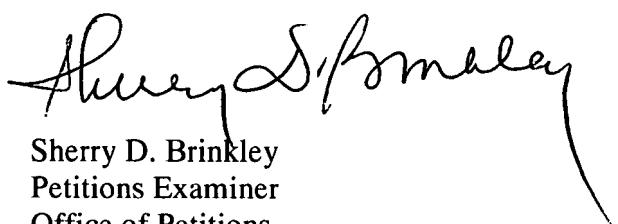
The application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.113 to the final Office action of May 27, 2006. No extensions of time pursuant to the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on August 28, 2006.

The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(III)(A)(2).

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a continuing application under 37 CFR 1.53(b); (2) the petition fee of 750; and (3) an adequate statement of unintentional delay.

This application is being revived solely for purposes of continuity. As continuity has been established by this decision, the application is again abandoned in favor of continuing application No. 11/553,934 filed October 27, 2006.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3204.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions